

# Rhode Island Board of Examiners in Podiatry 2020 Annual Report

APRIL 2021



## Introduction

The world was unexpectedly disrupted in 2020 by the COVID-19 pandemic caused by Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV2). The pandemic has had, and still has, broad impact in Rhode Island and the United States. Every aspect of the Rhode Island Department of Health (RIDOH) was affected, including all professional boards.

Rhode Island identified its first COVID-19 patient on February 28, 2020, and the Governor declared a State of Emergency on March 9, 2020. Among the changes necessitated by the pandemic was the requirement that professional boards meet virtually, via an online meeting platform or via conference call. The Board of Examiners in Podiatry shifted to meeting via an online meeting platform.

Despite the pandemic, Licensing Boards still serve an important role in protecting the public, including the issuance of emergency licenses. Assurance of a competent workforce is one the 10 essential public health services recognized by the CDC<sup>i</sup>. Board members possess unique technical expertise and function within a Just Culture as they exercise this duty. Complex issues that surround complaint investigations, health policy, establishment of rules and regulations and issuing licenses are some examples of these important duties.

The mission of the Rhode Island Board of Examiners in Podiatry (Board) is to protect the public through enforcement of standards for medical licensure and ongoing clinical competence. The Board has five members, four of whom are podiatrists and one who is a public member. Board members receive no compensation of any type for their hours of service annually.

<b>Podiatry Board Members</b>	
William Naughton, DPM	Podiatrist-Chair
Richard Reuter, DPM	Podiatrist
Brian Pontarelli, DPM	Podiatrist
Nathalia Doobay, DPM	Podiatrist
Vacant	Public Member

There were no changes in Board membership in 2020. There is a vacancy for a public member, and the statute requires the public member to be unassociated with the podiatry or medical field<sup>ii</sup>. Members are appointed for a three-year term.

The Board is housed entirely within tRIDOH and staffed by RIDOH employees who divide their time to effectively ensure the Board has the resources it needs to function at the highest level.

<b>Board Staff</b>	
James V. McDonald, MD, MPH	Medical Director
Morgan Goulet, Esq.	Senior Legal Counsel
Lauren Dixon-Lasso	Board Manager
Linda Julian	Board Investigator
Emily Castillo	Licensing Officer

## Licensing

Licensing of podiatrists by examination or by endorsement represents one of the essential functions of the Board. Ensuring that podiatrists who are allowed to practice medicine in Rhode Island are competent, ethical, and professional is critical to the licensing process.

<b>Podiatrist Licensing</b>			
	<b>2018</b>	<b>2019</b>	<b>2020</b>
Podiatry licenses issued	4	6	28
Podiatry license applications withdrawn	0	0	0
Podiatry license applications denied	0	0	0
Average number of days to receive podiatry license	40	71	64
Percentage of licenses approved in less than three days after receipt of final documents	100	100	100

<b>Podiatrist Licenses, By Type</b>		
	<b>As of 12/31/2019</b>	<b>2020</b>
Podiatrists	111	106
Podiatrists Controlled Substance Registration	93	86
Limited licenses Podiatry	11	12

## Just Culture

Health equity and justice extends to all areas of RIDOH, so codifying Just Culture was a natural extension of leadership's priorities that was accomplished in 2019 and remained in place throughout 2020.

The Board investigates complaints and strives to achieve consistent and just outcomes for all parties involved. The Board needs to determine whether to hold a podiatrist accountable or whether the error/issue was more likely caused by systems issue(s) beyond the control of the

physician. Utilizing the Deliberate Harm Test, Incapacity Test, Foresight Test and Substitution Test help the Board arrive at consistent decisions which protect the public yet also hold physicians accountable.

## Rules and Regulations for Licensure of Examiners in Podiatry

There were no changes to the *Rules and Regulations for Licensure of Examiners in Podiatry* in 2020.

## Complaints and Disciplinary Actions

An essential role of the Board is to investigate and adjudicate complaints. Complaints come from a variety of sources, including patients, patient advocates, notices of litigation, licensed facilities, pharmacists, physicians, and other healthcare professionals. Each complaint is reviewed prior to being opened for complete investigation. The complaint process for physicians is detailed in a flow chart at <http://health.ri.gov/complaints/physician/>.

Summary of Annual Complaint Activity			
	2018	2019	2020
Complaints received	4	8	15
Complaints opened for investigation	2	1	8
Complaints adjudicated by full Board	2	1	8
Suspensions	0	0	0
Reprimands and related sanctions	1	1	0
Revocations	0	0	0
Public adverse actions	1	1	0

## Revenue

Revenue is sent to the Rhode Island General Treasury, and Board operation is funded by RIDOH. License fees account for the vast majority of revenue for the state as reflected in the following table. Podiatry licenses renew every two years; therefore, revenue varies significantly between renewal cycles. Revenue is also generated by fees paid to renew controlled substance registrations (CSRs). There is a fee for verification of a Rhode Island podiatry license; however, RIDOH does offer primary source verification at no charge, at [http://209.222.157.144/RIDOH\\_Verification/Search.aspx?facility=N&SubmitComplaint=Y](http://209.222.157.144/RIDOH_Verification/Search.aspx?facility=N&SubmitComplaint=Y).

The Board is not authorized to issue fines for disciplinary actions and is one of the few states in the country that lacks this authority. The Board does have the authority to issue administrative fees which reflect the actual cost of investigating a complaint.

Annual Revenue from Podiatry-Related Fees						
	2015	2016	2017	2018	2019	2020

<b>Podiatry License Fees<sup>1</sup></b>	\$1,675	\$26,330	\$1,880	\$29,085	\$3,275	\$26,870
<b>Podiatry Controlled Substance Registrations Fees<sup>2</sup></b>	\$1,500	\$18,600	\$2,200	\$19,050	\$2,000	\$18,400
<b>Total Annual Fees</b>	\$3,175	\$44,930	\$4,080	\$48,135	\$5,275	\$45,270

**Conclusion**

The Podiatry Board was significantly affected by the Pandemic in 2020, yet continued its important work assuring the public of a competent Podiatry workforce.

The Board is composed of highly respected, wise, and committed volunteers who give of themselves and their time to carry out its critical mission. The Board is vigilant and consistent in its mission to protect the public and does so in the spirit of equity and justice.

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<sup>i</sup> “CDC - Public Health System and the 10 Essential Public Health Services - OSTLTS.” Centers for Disease Control and Prevention, Centers for Disease Control and Prevention, 26 June 2018, <https://www.cdc.gov/publichealthgateway/publichealthservices/essentialhealthservices.html>.

<sup>ii</sup> “TITLE 5 Businesses and Professions.” 5-29-2, [webserver.rilin.state.ri.us/Statutes/TITLE5/5-29/5-29-2.HTM](http://webserver.rilin.state.ri.us/Statutes/TITLE5/5-29/5-29-2.HTM)

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<sup>1</sup> Source: L2K – Revenue Reports – Podiatrist and Limited Podiatric Registration.

<sup>2</sup> Source: L2K – Revenue Reports – CSR-Podiatrist and CSR-Limited Podiatric Registration.